

THAD COCHRAN
MISSISSIPPI

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United States Senate

WASHINGTON, DC 20510-2402

November 10, 1997

COMMITTEE ON
AGRICULTURE, NUTRITION,
AND FORESTRY

COMMITTEE ON
APPROPRIATIONS

COMMITTEE ON
GOVERNMENTAL AFFAIRS

COMMITTEE ON
RULES AND
ADMINISTRATION

The Honorable William Kennard
Chairman, Federal Communications Commission
1919 M Street
Washington, D.C. 20554

RECEIVED

JAN 28 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

MMB
97-182
7431

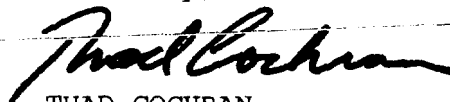
Dear Mr. Kennard:

I am enclosing correspondence from several constituents of mine, who are quite concerned about and opposed to proposed rule MM97-182 by the Federal Communications Commission, which would preempt state and local zoning and land use restrictions on the siting, placement and construction of broadcast station transmission facilities.

I share their concern over the potentially negative impact of this rule on local airports and governments and ask that you consider their views in your agency's on-going comment and review period. I am aware that the public comment period ended November 1, 1997, but I understand that further review will extend through December, at which time you and the Commissioners will begin your deliberations.

I would appreciate your assistance in responding to my constituents, as well as being apprised of the Commission's decision regarding this proposed rule. Thank you.

Sincerely,



THAD COCHRAN
United States Senate

TC/re
Enclosures

No. of Copies rec'd
List ABCDE

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BOB SHORT
Mayor

CITY of GULFPORT

Jimmie Jenkins
Councilman, Ward One

Richard Rose
Councilman, Ward Two

Ella Holmes-Hines
Councilwoman, Ward Three

Kim B. Savant
Councilman, Ward Four

Ricky Dombrowski
Councilman, Ward Five

Samuel H. "Sam" Albritton, Jr.
Councilman, Ward Six

Billy Hewes
Councilman, Ward Seven

Mayor-Council Form of Government

P.O. BOX 1780
GULFPORT, MISSISSIPPI 39502-1780
TELEPHONE (601) 868-5700

October 28, 1997

Honorable Thad Cochran
U.S. Senate
326 Russell Building
Washington, D.C. 20510


Dear Senator Cochran,

I am writing to you on behalf of myself and the Gulfport City Council. The administration of the City of Gulfport opposes the rule by the Federal Communications Commission preempting state and local zoning and land use laws pertaining to the siting, placement and construction of broadcast station transmission facilities.

The City of Gulfport, along with the Gulfport-Biloxi Regional Airport, have spent hundreds of thousands of dollars developing height/hazard and land use zoning to protect the airport and the City. Our process allows a balance to be achieved between broadcast commerce and compatibility with neighborhood characteristics. If this rule is enforced, it would place severe constraints on the ability of the City of Gulfport to implement a coordinated planning process. In addition, the proposed rule would place the burden of proof upon the citizens of Gulfport and not on the applicant.

Your attention and consideration of this matter would be greatly appreciated.

Sincerely,


Bob Short
Mayor



"Where your ship comes in"

CITY OF GULFPORT

October 29, 1997

97 NOV -3 AM 9:11

BOB SHORT
Mayor

Jimmie Jenkins
Councilman, Ward One

Richard Rose
Councilman, Ward Two

Ella Holmes-Hines
Councilwoman, Ward Three

Kim B. Savant
Councilman, Ward Four

Ricky Dombrowski
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Samuel H. "Sam" Albritton
Councilman, Ward Six

Billy Hewes
Councilman, Ward Seven

DEPARTMENT OF URBAN DEVELOPMENT

BILL HESSELL
Director

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Fax: 601-868-5708

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Fax: 601-868-5708

Building Code Services
601-868-5715
Fax: 601-868-5716

1410 24th Ave.
Gulfport, MS 39501

P.O. Box 59
Gulfport, MS 39502

Office of the Secretary
Federal Communications commission
Washington, DC 20554

Dear Sir:

The City of Gulfport, Mississippi **opposes** the proposed rule entitled "Preemption of State and Local Zoning and Land Use Restrictions on the Siting, Placement and Construction of Broadcast Station Transmission Facilities" (MM Docket No. 97-182). As written, the proposed rule usurps the power of state and local authorities and zoning laws and severely limits the ability of the City administration to protect the interests of the citizens of the City by effectively eliminating public hearing and appeals processes. Attached is the resolution adopted by the Mayor and City Council of the City of Gulfport, Mississippi stating our opposition and reasons for protecting the public interest of our citizens.

Sincerely,

Ronald R. Jones
Planning Administrator

ATTACHMENT

CC: Honorable Trent Lott - U.S. Senate
✓Honorable Thad Cochran - U.S. Senate
Honorable Gene Taylor - U.S. House of Representatives
Honorable Bennie Thompson - U. S. House of Representatives
Honorable Chip Pickens - U.S. House Of Representatives
Honorable Mike Parker - U.S. House Of Representatives
Honorable Roger Wicker - U.S. House Of Representatives
Honorable Billy Hewes III
Honorable Clyde Woodfield
Honorable Francis Fredericks
Mr. Bruce Frallic - Gulfport-Biloxi Regional Airport Authority